

REMARKS

Summary of Office Action

On pages 2-4 of the Office Action, the Examiner issued a Restriction Requirement directed to claims 1-29 as follows:

- Group I: Claims 1-16, 21-23, and 27-29, drawn to a method, system, and computer readable medium for recording evidence of assent using a recording system involving the relying party and affirming party.
- Group II: Claims 17-18, drawn to method for recording evidence of consent by a recording system involving a relying party and affirming party where the relying party associates a transaction identifier with a transaction.
- Group III: Claims 19-20, drawn to a method for generating evidence of ascent to a proposition involving a party, classified in class 705, subclass 1.
- Group IV: Claims 24-26, drawn to a method for entering into a contract where a party receives a contract including instructions, classified in class 705, subclass 1.

Moreover, on page 5 of the Office Action, the Examiner asserted that the species to which claims 3, 5 are directed is patentably distinct from the species to which claims 2, 6 are directed. Additionally, on page 5 of the Office Action, the Examiner asserted that the species to which claim 9 is directed is patentably distinct from the species to which claim 10 is directed. Although not stated by the Examiner, it is presumed that the election of species requirement set forth on page 5 of the Office Action is contingent on applicants' election of Group I.

Applicant's Reply

Applicants traverse the Restriction Requirement and respectfully request reconsideration and withdrawal of the requirement. However, in order to provide a complete response pursuant to 37 C.F.R. §1.143, applicants provisionally elect claims 1-16, 21-23, and 27-29 (Group I).

Applicants respectfully submit that the claims of Groups I-IV should be examined together, as they share a relationship involving the recording of assent by a party to a transaction, proposition, or contract, and because it would not present an unreasonable task for, or place an undue burden on, the Examiner for searching purposes to examine the claims of Groups I-IV together. For example, transaction identifiers are recited in both the claims of Group I and the

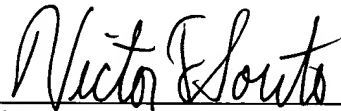
claims of Group II. Moreover, while the claims of Group I do not require the relying party to associate the transaction identifier with the transaction, as the claims of Group II do, this distinction is not one that would place an undue burden on the Examiner for searching purposes. As another example, while the claims of Groups I and III relate to the recording of consent to a *transaction* and *proposition*, respectively, these Groups should be examined together as this distinction would not place an undue burden on the Examiner for searching purposes.

Furthermore, to provide a complete response to the Office Action, with respect to the first species election requirement set forth by the Examiner, applicants hereby provisionally elect, with traverse, claims 3 and 5. Moreover, with respect to the second species election requirement set forth by the Examiner, applicants hereby provisionally elect, with traverse, claim 9. However, applicants respectfully contend that, given the commonality of the subject matter, an undue burden would not be placed on the Examiner to include each of claims 2, 6, and 9 in the search.

The Director is hereby authorized to charge any fees due, or credit any overpayment, in connection with this case to Deposit Account No. 08-0219.

Respectfully submitted,

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